vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4621 OF 2005

Smt.Usha R. Agashe ... Petitioner

V/s.

Smt.Shanta Krishanji Khandalekar
& Ors. ... Respondents

Mr.G.S. Godbole for Petitioner
Mr.P.K. Dhakephalkar for Respondents

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **AUGUST 24, 2005**

P.C.:

. This Petition challenges the concurrent findings of facts of both the Courts below. The trial Court decreed the suit on the ground that the Petitioner has acquired a suitable alternate accommodation. The appellate Court has confirmed the decree. I do not see any reason to interfere with the orders of both the Courts below as admittedly the Petitioner has acquired a flat admeasuring 750 sq.ft. Petition rejected.

2. Mr.Godbole seeks some time to vacate the suit premises. Time to vacate the suit premises is granted upto 31.5.2006 on condition that the Petitioner and all the adult members of her family file an undertaking in this Court in the usual terms within two weeks from

today.